

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

TROY WILLIAMS,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 4:22-CV-154 DDN
	)	
ATT PHONE CO-OWNERS, et al.,	)	
	)	
Defendants.	)	

**MEMORANDUM AND ORDER**

This matter is before the Court on review of plaintiff’s amended complaint. After review of the amended complaint, the Court will dismiss this action pursuant to 28 U.S.C. § 1915(e)(2)(B).

**Background**

This is plaintiff’s twenty-third civil rights case before this Court. Although plaintiff, when he was a prisoner, was subject to the filing restrictions of 28 U.S.C. § 1915(g), he is now a civil detainee, currently residing at Southeast Missouri Department of Mental Health. For this reason, the Court will review plaintiff’s action pursuant to 28 U.S.C. § 1915 for frivolousness, maliciousness and for failure to state a claim.

**Legal Standard on Initial Review**

This Court is required to review a complaint filed in forma pauperis, and must dismiss it if it is frivolous, malicious, or fails to state a claim upon which relief may be granted. 28 U.S.C. § 1915(e)(2). An action is frivolous if it “lacks an arguable basis in either law or fact.” *Neitzke v. Williams*, 490 U.S. 319, 328 (1989). An action fails to state a claim upon which relief may be granted if it does not plead “enough facts to state a claim to relief that is plausible on its face.” *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007).

A claim is facially plausible when the plaintiff “pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). Although a plaintiff need not allege facts in painstaking detail, the facts alleged “must be enough to raise a right to relief above the speculative level.” *Twombly*, 550 U.S. at 555. This standard “demands more than an unadorned, the-defendant-unlawfully-harmed-me accusation.” *Iqbal*, 556 U.S. at 678.

### **The Amended Complaint**

Plaintiff, a civil detainee, brings this action under 42 U.S.C. § 1983 against the Co-Owners of ATT; Toby Keith’s Bar and Grill; Tracy Lowe, Jimmy Neal; Sheriff Robert Mays; Psychiatrist Menshasa; Guardian Karen Allen; Former Senator Unknown Kessebaum; Jeffrey Unknown; Nancy Kaassebaun; James Reynolds; Judge Edward Reeves; Judge Carol England; Damien Unknown; President Joe Biden; Lowel Unknown; Paul Graham; Lawyer David Unknown; Dr. Donald Hinton; Former Attorney John Ashcroft; Attorney Richard Yocum; Governor Mike Parson; Robert Unknown; Senator Chuck Schumer; Senator Mitch McConnell; House Speaker Nancy Pelosi.

The amended complaint is indecipherable. Although it lists defendants by name, the claims against the defendants are unclear. The Court cannot determine what causes of action are being alleged or what relief is sought.

### **Discussion**

Although the Court is to construe plaintiff’s complaint liberally on initial review, plaintiff’s amended complaint does not contain any well-pleaded facts that demonstrate any plausible claims for relief against defendants. An action is frivolous if “it lacks an arguable basis in either law or in fact.” *Neitzke v. Williams*, 490 U.S. 319, 328 (1989). An action is factually frivolous if the facts

alleged are “clearly baseless”; alleged facts are clearly baseless if they are “fanciful,” “delusional,” or “fantastic.” *Denton v. Hernandez*, 504 U.S. 25, 32–33 (1992). Because the Court finds plaintiff’s amended complaint lacks an arguable basis in either law or fact and the allegations are clearly baseless, it will dismiss plaintiff’s amended complaint for failure to state a claim upon which relief may be granted.

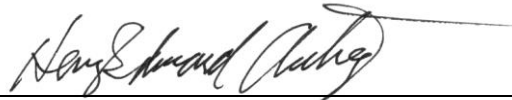
Accordingly,

**IT IS HEREBY ORDERED** that this action is **DISMISSED** without prejudice for failure to state a claim upon which relief may be granted. *See* 28 U.S.C. § 1915(e)(2)(B).

**IT IS FURTHER ORDERED** that all other pending motions are **DENIED as moot**.

An Order of Dismissal will accompany this Memorandum and Order.

Dated this 28<sup>th</sup> day of June, 2022.

A handwritten signature in cursive script, reading "Henry Edward Autrey", written in black ink. The signature is positioned above a horizontal line.

HENRY EDWARD AUTREY  
UNITED STATES DISTRICT JUDGE